

Message Text

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SUBJECT:CONCLUSION OF GENERAL DEBATE ON NON-USE OF
FORCE: STATEMENTS BY FRANCE, BELGIUM, JAPAN, ARGENTINA,
3&605, GREECE, AND THE SOVIET UNION

1. SUMMARY. GENERAL DEBATE ON THE NON-USE OF FORCE
CONCLUDED ON SEPTEMBER 8 WITH STATEMENTS BY FRANCE,
(3)&87., JAPAN, ARGENTINA, EGYPT, GREECE, AND THE SOVIET
UNION. FRANCE, BELGIUM, AND JAPAN PRESENTED THE
STANDARD WESTERN LEGAL RESERVATIONS TO CONCLUDING A WORLD
TREATY ON THE NON-USE OF FORCE; ARGENTINA AND EGYPT
WELCOMED THE SOVIET INITIATIVE IN PRINCIPLE BUT WERE
LESS ENTHUSIASTIC ABOUT THE SOVIET DRAFT TREATY; GREECE
SUPPORTED THE SOVIET DRAFT TREATY BUT SUGGESTED SEVERAL
SPECIFIC MODIFICATIONS; AND THE SOVIET UNION REHASHED
ITS OPENING ARGUMENTS AND SOUGHT TO INSIST THAT ITS
DRAFT TREATY BE THE BASIS FOR THE COMMITTEE'S WORK.
5#3 7.S. DELEGATE INTERVENED TO POINT OUT THAT THE
COMITE'S MANDATE IS NOT CONFINED TO CONSIDERATION
OF A WORLD TREATY ON THE NON-USE OF FORCE. THE COMITE
AGREED TO MEET NEXT WEEK IN AN OPEN-ENDED WORKING GROUP
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TO DISCUSS THE FULL MANDATE OF THE COMITE; LITTLE
SHOULD RESULT FROM THIS EXERCISE. END SUMMARY.

2. FRENCH REP D'HAUSSY, BELGIAN REP DUCHENE, AND
JAPANESE REP ONDA ALL PRESENTED THE STANDARD WESTERN
LEGAL RESERVATIONS ON THIS SOVIET INITIATIVE. THEY
STRESSED APPLICABILITY AND LEGAL FORCE OF ARTICLE 2,

PARA 4 OF THE UN CHARTER, AND THES STRESSED THE

IMPORTANCE OF STRENGTHENING MACHINERY FOR THE PEACEFUL SETTLEMENT OF DISPUTES. THEY VARIOUSLY ARUGED THAT A WORLD TREATY ON THE NON-USE OF FORCE ALONG THE LINES OF THE SOVIET DRAFT COULD LEAD TO LEGAL AMBIGUITY AND THEREBY WEAKEN THE CHARTER. THEY FELT THAT IT IS PREMATURE TO DECIDE ON A DEFINITE OBJECTIVE FOR THE SPECIAL COMITE'S WORK AND SUGGESTED THAT LEGAL FORMS OTHER THAN A TREATY MIGHT BE MORE APPROPRIATE.

3. EGYPTIAN REP BADAWI AND ARGENTINE AMBASSADOR ROS EXPRESSED GUARDED APPRECIATION OF THE SOVIET INITIATIVE BUT SEEMED TO SUSPEND JUDGMENT ON THE MERITS OF THE SOVIET DRAFT TREATY. BOTH ARGUED THAT THERE IS A NEED TO ELABORATE THE DEFINITION OF FORCE TO INCLUDE ECONOMIC, *8,-,:8-), POLITICAL, AND COVERT PRESSURES. BADAWI NOTED THAT BOTH THE PEACEFUL SETTLEMENT OF DISPUTES AND THE PRINCIPLE OF COLLECTIVE SECURITY ARE COROLLARIES TO THE PRINCIPLE OF THE NON-USE OF FORCE. WHILE WELCOMING THE SOVIET INITIATIVE AND THE SOVIET DRAFT TREATY, AMBASSADOR ROS BELIEVED THAT THE ISSUE SHOULD BE EXAMINED FROM ALL STANDPOINTS.

4. GREEK REP THEODORACOPOULOS, TAKING HEED THAT HIS DELEGATION HAD VOTED FOR THE SOVIET INITIATIVE IN THE GENERAL LIMITED OFFICIAL USE

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ASSEMBLY, WAS OUT OF STEP WITH THE WESTERN POSITION. HE CALLED THE SOVIET DRAFT TREATY AN "IMPORTANT CONTRIBUTION TO OBSERVANCE OF THE CHARTER, AND HE SAID HIS DELEGATION ACCEPTED THE SOVIET DRAFT BY AND LARGE . HE PROCEEDED TO SUGGEST SEVERAL MODIFICATIONS IN THE DRAFT SUCH AS INCLUDING A REFERENCE TO ARTICLE 2, PARA 5 OF THE CHARTER, A REFERENCE TO ARTICLE 51 OF THE CHARTER, A DETERRENT FOR VIOLATIONS--POSSIBLY A CALL FOR THE IMPLEMENTATION OF CHAPTER VII OF THE CHARTER, AND PERHAPS GREATER FOCUS ON THE PEACEFUL SETTLEMENT OF DISPUTES.

5. SOVIET REP KOLESNIK MADE HIS DELEGATION'S SECOND LENGTHY INTERVENTION OF THE GENERAL DEBATE. HE RECAPTITULATED THE SOVIET POSITION IN GREAT DETAIL AND SOUGHT TO REFUTE THE VARIOUS DOUBTS AND OBJECTIONS RAISED ABOUT THE SOVIET DRAFT IN THE COURSE OF THE GENERAL DEBATE. HE CITED ONLY THE FIRST PART OF THE COMITE'S MANDATE IN AN EFFORT TO ESTABLISH THE SOVIET DRAFT TREATY AS THE ONLY LEGITIMATE BASIS FOR THE FURTHER WORK OF THE COMITE. HE CALLED FOR THE CREATION OF A WORKING GROUP TO WORK OUT DETAILED ARTICLES IN THE DRAFT

TREATY. HE ALSO CALLED UPON THE COMITE TO ADOPT A DRAFT RESOLUTION RECOMMENDING THAT THE GENERAL ASSEMBLY EXTEND THE MANDATE OF THE SPECIAL COMITE IN ORDER THAT IT HAVE SUFFICIENT TIME TO FULFILL ITS ASSIGNED TASK.

6. U.S. REP INTERVENED TO ESTABLISH THAT THE COMITE'S MANDATE EXTENDS BEYOND MERE CONSIDERATION OF THE SOVIET DRAFT TREATY AND EMBRACES THE ALTERNATIVE: "OR SUCH OTHER RECOMMENDATIONS AS THE COMITE DEEMS APPROPRIATE".

7. CHAIRMAN CUEVAS CANCINO BROACHED THE IDEA OF SETTING UP A WORKING GROUP OF ALL COMITE MEMBERS BEGINNING SEPT. 11. AFTER A CLARIFYING INTERVENTION BY THE U.S. REP THE CHAIRMAN CONFIRMED THAT THE MANDATE OF THE LIMITED OFFICIAL USE

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WORKING GROUP WOULD BE THE SAME AS THAT OF THE COMITE AND THAT THE WORKING GROUP'S DELIBERATIONS WOULD BE INFORMAL AND OPEN-ENDED. COMMENT: OUR TACTIC ON SEPT. 11 WILL BE TO SUGGEST SEVERAL DIRECTIONS FOR THE WORKING GROUP'S DELIBERATIONS IN ORDER TO AVERT THE POSSIBILITY OF USING THE SOVIET DRAFT AS A BASIS FOR NEGOTIATIONS. SINCE IT IS UNLIKELY THAT THE WORKING GROUP WILL BE ABLE TO MEET FOR MORE THAN THREE SESSIONS BEFORE IT MUST TERMINATE ITS WORK FOR THIS SESSION, IT SEEMS UNLIKELY THAT THE SOVIET DRAFT WILL GET VERY FAR. END COMMENT. YOUNG

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